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013004

1175  
U.S.PTOUTILITY  
PATENT APPLICATION  
TRANSMITTAL

Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

|                        |                         |
|------------------------|-------------------------|
| Attorney Docket No.    | 1816                    |
| First Inventor         | Thomas Charles Corbin   |
| Title                  | Soybean Variety XB35Q04 |
| Express Mail Label No. | EL 870385707 US         |

22264 U.S.PTO  
104768424

013004

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

2.  Applicant claims small entity status.  
See 37 CFR 1.27.

3.  Specification [Total Pages **53**]   
(preferred arrangement set forth below)  
 - Descriptive title of the Invention  
 - Cross Reference to Related Applications  
 - Statement Regarding Fed sponsored R & D  
 - Reference to sequence listing, a table, or a computer program listing appendix  
 - Background of the Invention  
 - Brief Summary of the Invention  
 - Brief Description of the Drawings (if filed)  
 - Detailed Description  
 - Claim(s)  
 - Abstract of the Disclosure

4.  Drawing(s) (35 U.S.C. 113) [Total Sheets  ]

5. Oath or Declaration [Total Sheets **3** ]  
 a.  Newly executed (original or copy)  
 b.  Copy from a prior application (37 CFR 1.63 (d))  
     (for a continuation/divisional with Box 18 completed)  
 i.  **DELETION OF INVENTOR(S)**  
     Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6.  Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)  
 a.  Computer Readable Form (CRF)  
 b. Specification Sequence Listing on:  
     i.  CD-ROM or CD-R (2 copies); or  
     ii.  Paper  
 c.  Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9.  Assignment Papers (cover sheet & document(s))

10.  37 C.F.R. 3.73(b) Statement  Power of Attorney (when there is an assignee)

11.  English Translation Document (if applicable)

12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations

13.  Preliminary Amendment

14.  Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)

16.  Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17.  Other: \_\_\_\_\_

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation     Divisional     Continuation-in-part (CIP)    of prior application No: \_\_\_\_\_ / \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_ Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

 Customer Number

27310

OR  Correspondence address below

|         |           |          |  |
|---------|-----------|----------|--|
| Name    |           |          |  |
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| City    | State     | Zip Code |  |
| Country | Telephone | Fax      |  |

|                   |   |                                   |                  |
|-------------------|---|-----------------------------------|------------------|
| Name (Print/Type) | Steven Callistein   | Registration No. (Attorney/Agent) | 43,525           |
| Signature         |  | Date                              | January 30, 2004 |

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

770

## Complete if Known

|                      |                       |
|----------------------|-----------------------|
| Application Number   |                       |
| Filing Date          |                       |
| First Named Inventor | Thomas Charles Corbin |
| Examiner Name        |                       |
| Art Unit             |                       |
| Attorney Docket No.  | 1816                  |

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money  Other  None  
 Order
  Deposit Account:Deposit  
Account  
Number

16-1852

Deposit  
Account  
Name

Pioneer Hi-Bred International, Inc.

## The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account.
 

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|--------------|--------------|----------|----------|----------|----------|--|----------|
|              |              | 1051     | 130      | 2051     | 65       | Surcharge - late filing fee or oath  |          |
|              |              | 1052     | 50       | 2052     | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
|              |              | 1053     | 130      | 1053     | 130      | Non-English specification  |          |
|              |              | 1812     | 2,520    | 1812     | 2,520    | For filing a request for reexamination                                     |          |
|              |              | 1804     | 920*     | 1804     | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
|              |              | 1805     | 1,840*   | 1805     | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
|              |              | 1251     | 110      | 2251     | 55       | Extension for reply within first month                                     |          |
|              |              | 1252     | 420      | 2252     | 210      | Extension for reply within second month                                    |          |
|              |              | 1253     | 950      | 2253     | 475      | Extension for reply within third month                                     |          |
|              |              | 1254     | 1,480    | 2254     | 740      | Extension for reply within fourth month                                    |          |
|              |              | 1255     | 2,010    | 2255     | 1,005    | Extension for reply within fifth month                                     |          |
|              |              | 1401     | 330      | 2401     | 165      | Notice of Appeal   |          |
|              |              | 1402     | 330      | 2402     | 165      | Filing a brief in support of an appeal                                     |          |
|              |              | 1403     | 290      | 2403     | 145      | Request for oral hearing   |          |
|              |              | 1451     | 1,510    | 1451     | 1,510    | Petition to institute a public use proceeding                              |          |
|              |              | 1452     | 110      | 2452     | 55       | Petition to revive – unavoidable   |          |
|              |              | 1453     | 1,330    | 2453     | 665      | Petition to revive – unintentional   |          |
|              |              | 1501     | 1,330    | 2501     | 665      | Utility issue fee (or reissue)   |          |
|              |              | 1502     | 480      | 2502     | 240      | Design issue fee   |          |
|              |              | 1503     | 640      | 2503     | 320      | Plant issue fee  |          |
|              |              | 1460     | 130      | 1460     | 130      | Petitions to the Commissioner  |          |
|              |              | 1807     | 50       | 1807     | 50       | Processing fee under 37 CFR 1.17 (q)                                       |          |
|              |              | 1806     | 180      | 1806     | 180      | Submission of Information Disclosure Stmt                                  |          |
|              |              | 8021     | 40       | 8021     | 40       | Recording each patent assignment per property (times number of properties) |          |
|              |              | 1809     | 770      | 2809     | 385      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
|              |              | 1810     | 770      | 2810     | 385      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
|              |              | 1801     | 770      | 2801     | 385      | Request for Continued Examination (RCE)                                    |          |
|              |              | 1802     | 900      | 1802     | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

| SUBMITTED BY      |   | Complete (if applicable)             |        |           |                  |
|-------------------|---|--------------------------------------|--------|-----------|------------------|
| Name (Print/Type) | Steven Callstein  | Registration No.<br>(Attorney/Agent) | 43,525 | Telephone | (515) 254-2823   |
| Signature         |  |                                      |        | Date      | January 30, 2004 |

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**Certificate of Mailing under 37 CFR 1.10**

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on January 30, 2004 .

1. Certificate of Mailing -1 page
2. Utility Patent Application Transmittal - 1 page
3. Fee Transmittal Form - 1 page
4. Application Data Sheet - 2 pages
5. Specification - 53 pages
6. Declaration - 3 pages
7. PTO 1595 - 1 pages
8. Assignment – 2 pages

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Signature

Dave Davis

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Typed or printed name of person signing Certificate

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